

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

SAMMY CARL NELSON, JR.,

Plaintiff,

versus

BRYAN COLLIER, *et al.*,

Defendants.

CIVIL ACTION NO. 1:21-CV-167

ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Sammy Carl Nelson, Jr., an inmate confined in the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding with counsel, brought this lawsuit pursuant to 42 U.S.C. § 1983. The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends granting the motion to dismiss filed by defendant Darren Wallace. To date, the parties have not filed objections to the report.

The court received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. After careful review, the court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct.

Accordingly, the Report and Recommendation of the United States Magistrate Judge is **ADOPTED**. It is

ORDERED that the motion to dismiss filed by defendant Darren Wallace (#29) is **GRANTED**.

SIGNED at Beaumont, Texas, this 20th day of March, 2024.

Marcia A. Crone

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE